

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 GUY ROBERT SODERLIND, JR.,

9 Plaintiff,

10 v.

11 URSULA J. HAIGH, *et al.*,

12 Defendants.
13

No. C15-1655RSL

ORDER DENYING PLAINTIFF'S
MOTION TO AMEND JUDGMENT

14 On May 11, 2018, judgment was entered in the above-captioned matter against plaintiff
15 and in favor of the King County defendants. Dkt. # 139. Plaintiff filed a timely motion to amend
16 judgment under Fed. R. Civ. P. 59(e) asserting that the Court erred when it found that plaintiff
17 was not arrested in the curtilage of his home, when it found that the King County deputies'
18 interpretation of the anti-harassment orders was reasonable, and when it applied the fellow
19 officer rule. Dkt. # 155. This matter can be resolved on the papers submitted. Plaintiff's request
20 for oral argument is DENIED.


21 Reconsideration under Rule 59 is appropriate if the moving party presents newly
22 discovered evidence or new law, shows that the prior ruling is manifestly unjust, or establishes
23 that the court clearly erred. Sch. Dist. No. 1J v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993).
24 Plaintiff has not met his burden here. The new case plaintiff relies upon for his curtilage
25 argument is easily distinguishable. In Collins v. Virginia, __ U.S. __, 138 S.Ct. 1663, 1670-71
26

ORDER DENYING PLAINTIFF'S
MOTION TO AMEND JUDGMENT

1 (2018), the officer walked up the driveway from the road, past the front lawn and the front
2 perimeter of the house, and into a partially enclosed portion of the driveway abutting the house
3 to get to the motorcycle he wanted to search. In this case, the officers encountered plaintiff in a
4 parking area that abutted (or may have been part of) the public right of way, was physically
5 separated from the home by storage buildings, and which had none of the comforts, privacies, or
6 uses of a home. Nor has plaintiff shown manifest error or injustice in the Court's evaluation of
7 the reasonableness of the deputies' interpretation of the anti-harassment orders or application of
8 the fellow officer rule.

9
10 For all of the foregoing reasons, reconsideration is not appropriate, and plaintiff's motion
11 to amend the judgment is DENIED.

12
13 Dated this 13th day of July, 2018.

14 
15 Robert S. Lasnik
16 United States District Judge
17
18
19
20
21
22
23
24
25
26